

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA
(PITTSBURGH)**

IN RE:

CHRISTOPHER KIM,

Debtor

THE HUNTINGTON NATIONAL BANK,

Movant,

v.

CHRISTOPHER KIM,

Respondent.

CASE NO.: 19-24642-CMB
CHAPTER 13

JUDGE CARLOTA M. BÖHM

Related to Document No. 89

Hearing Date: October 28, 2020 @10:30 AM

**ORDER GRANTING CONDITIONAL RELIEF FROM STAY IN FAVOR OF
THE HUNTINGTON NATIONAL BANK**

8313 Perry Highway, Pittsburgh, PA; Parcel No. 611-C-261

AND NOW, this 3rd day of November, 2020, after the hearing on the Motion for Relief from the Automatic Stay filed by The Huntington National Bank (the “Movant”), and due consideration of the Debtor’s response thereto, if any, and upon consideration of arguments and statements of counsel at the hearing held thereon, and by agreement of the parties, It is hereby **ORDERED** that the automatic stay is terminated as it affects the interests of the Movant with

respect to that certain collateral referenced in Movant's Motion for Relief from the Automatic Stay as being **8313 Perry Highway, Pittsburgh, PA; Parcel No. 611-C-261**; **PROVIDED HOWEVER**, that this Order granting relief from stay is stayed for so long as:

On a go forward basis from and after the date of this Order, the Debtor(s) shall timely make full plan payments to the Chapter 13 Trustee, on or before the date upon which the respective plan payment is due as set forth in the proposed Amended Plan (Doc 98).

It is hereby further **ORDERED** that *time is of the essence*. For the duration of this bankruptcy case, in the event that the Debtor(s) fail to make any subsequent plan payments (as well as such other payments that may be required by this Order) to the Chapter 13 Trustee, then the stay of this Order shall be vacated and the automatic stay unconditionally lifted as it affects the interests of the Movant with said property or collateral upon the filing of an Affidavit of Default by Movant without further hearing or without entry of an additional order.

In the event that the automatic stay is terminated as provided in this Order, then the Trustee shall make no further disbursements to any creditor on account of any secured claim that is secured by the subject collateral, unless directed otherwise by further Order of Court.


HONORABLE CARLOTA M. BÖHM **dmk**
UNITED STATES BANKRUPTCY JUDGE

AGREED TO AND SUBMITTED BY:

/s/ Wade T. Doerr
Wade T. Doerr (200753)
23 S. Main Street, Third Floor
Akron, Ohio 44308
(T) 330-434-1000
Attorney for Movant

FILED
11/3/20 1:20 pm
CLERK
U.S. BANKRUPTCY
COURT - WDPA

/s/ Russell A. Burdelski (per email approval 11/02/2020)
Russell A. Burdelski
The Law Offices of Russell A. Burdelski

1020 Perry Highway
Pittsburgh, PA 15237-2109
atyrusb@choiceonemail.com
Attorney for Debtor

CASE ADMINISTRATOR TO MAIL:

Ronda Winnecour, Chapter 13 Trustee (via CM:ECF e-mail)
Debtor(s)
Counsel for Debtor(s)
Counsel for Movant

In re:
CHRISTOPHER A. KIM
Debtor(s)

Case No. 19-24642-CMB
Chapter 13

CERTIFICATE OF NOTICE

District/off: 0315-2
Date Rcvd: Nov 03, 2020

User: dsaw
Form ID: pdf900

Page 1 of 2
Total Noticed: 1

The following symbols are used throughout this certificate:

Symbol	Definition
+	Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.
#	Addresses marked '#' were identified by the USPS National Change of Address system as requiring an update. While the notice was still deliverable, the notice recipient was advised to update its address with the court immediately.

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Nov 05, 2020:

Recip ID	Recipient Name and Address
db	#+ CHRISTOPHER A. KIM, 2000 CREEKVIEW CIRCLE, APT 2314, CRANBERRY TWP, PA 16066-1128

TOTAL: 1

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI).

NONE

BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, *duplicate of an address listed above, *P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

NONE

NOTICE CERTIFICATION

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Nov 05, 2020

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on November 3, 2020 at the address(es) listed below:

Name	Email Address
Brian Nicholas	on behalf of Creditor Toyota Motor Credit Corporation bnicholas@kmlawgroup.com
Jeffrey R. Hunt	on behalf of Creditor County of Allegheny jhunt@grblaw.com cnoroski@grblaw.com
Jennifer L. Cerce	on behalf of Creditor North Allegheny School District jlc@mbm-law.net
Karina Velter	on behalf of Creditor PNC BANK NATIONAL ASSOCIATION amps@manleydeas.com
Office of the United States Trustee	ustpregion03.pi.ecf@usdoj.gov

District/off: 0315-2

User: dsaw

Page 2 of 2

Date Rcvd: Nov 03, 2020

Form ID: pdf900

Total Noticed: 1

Ronda J. Winnecour

cmechf@chapter13trusteedpa.com

Russell A. Burdelski

on behalf of Debtor CHRISTOPHER A. KIM Russ@BurdelskiLaw.com russ.burdelski@gmail.com

S. James Wallace

on behalf of Creditor Peoples Natural Gas Company LLC ecfpeoples@grblaw.com Equitablebankruptcy@peoples-gas.com

Wade T. Doerr

on behalf of Creditor The Huntington National Bank wade@nwm-law.com

TOTAL: 9